

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DELFINO VICTORIANO, individually and on behalf of  
others similarly situated,

Plaintiffs,

-v-

TAISHO, INC. (d/b/a OH TAISHO), et al.,

Defendants.

CIVIL ACTION NO.: 21 Civ. 426 (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

The Court is in receipt of the parties' request for approval of their settlement agreement (the "Settlement Agreement"). (ECF No. 30). In its review of the Settlement Agreement, the Court has identified two issues that must be resolved prior to the Court's approval:

1. The Settlement Agreement requires Defendants to address and deliver the settlement checks to "Michael Faillace & Associates, P.C." (ECF No. 30-1 at 2). That firm, however, no longer represents Mr. Victoriano. (See ECF No. 33). Accordingly, the parties shall file a revised settlement agreement (the "Revised Settlement Agreement") that reflects the correct payee and addressee; and
2. The Complaint indicates that Mr. Victoriano's primary language is Spanish (see ECF No. 1 ¶¶ 63, 112). The parties have not indicated, however, whether the Settlement Agreement was translated into Spanish for Mr. Victoriano. Accordingly, the parties shall file a letter, or add a provision to the Revised Settlement Agreement, confirming that the Revised Settlement Agreement was translated for Mr. Victoriano.

The parties shall file the Revised Settlement Agreement (and, unless it appears in the Revised Settlement Agreement itself, a letter confirming that it was translated into Spanish for Mr. Victoriano) by **January 19, 2022**.

Dated:           New York, New York  
                  January 12, 2022

SO ORDERED.

  
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**SARAH L. CAVE**  
**United States Magistrate Judge**